

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

CASE NUMBER: 09-10165 SEK

RENE ROMAN MOJICA  
MONSERRATE GARCIA RIVERA

CHAPTER 13

DEBTOR(S)

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**POST CONFIRMATION MODIFICATION OF THE CHAPTER 13 PLAN**

**TO THE HONORABLE COURT:**

**NOW COMES** the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. Debtor(s) intend to amend the Chapter 13 Plan for the following reason:

**TO PROVIDE FOR PRE POST PETITION ARREARS WITH BANCO POPULAR OF PR.**

**WHEREFORE**, it is respectfully requested of this Honorable Court to approve the above indicated amendment.

**IN SAN JUAN, PUERTO RICO**, this 5TH day of May of 2010.

**I HEREBY CERTIFY:** that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to United State Trustee, Chapter 13 Trustee, and we sent copy of this document through regular mail to Debtor(s) and all non CM/ECF participants interested parties to their address listed on the master address list.

**JPC LAW OFFICE**

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By: /s/ Jose M Prieto Carballo, Esq.

**United States Bankruptcy Court  
District of Puerto Rico**

**IN RE:**

ROMAN MOJICA, RENE & GARCIA RIVERA, MONSERRATE

Debtor(s)

Case No. 09-10165-13

Chapter 13

**CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input checked="" type="checkbox"/> AMENDED PLAN DATED: 5/05/2010 <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION      Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other																																																																								
<p style="text-align: center;"><b>I. PAYMENT PLAN SCHEDULE</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">\$</td> <td style="width: 15%;">425.00</td> <td style="width: 10%;">x</td> <td style="width: 10%;">2</td> <td style="width: 10%;">=</td> <td style="width: 10%;">\$</td> <td style="width: 25%;">850.00</td> </tr> <tr> <td>\$</td> <td>420.00</td> <td>x</td> <td>58</td> <td>=</td> <td>\$</td> <td>24,360.00</td> </tr> <tr> <td>\$</td> <td></td> <td>x</td> <td></td> <td>=</td> <td>\$</td> <td></td> </tr> <tr> <td>\$</td> <td></td> <td>x</td> <td></td> <td>=</td> <td>\$</td> <td></td> </tr> <tr> <td>\$</td> <td></td> <td>x</td> <td></td> <td>=</td> <td>\$</td> <td></td> </tr> </table> <p style="text-align: right; margin-top: 10px;">TOTAL: \$ 25,210.00</p> <p>Additional Payments:          \$ _____ to be paid as a LUMP SUM          within _____ with proceeds to come from:</p> <p><input type="checkbox"/> Sale of Property identified as follows:          _____          _____</p> <p><input type="checkbox"/> Other:          _____          _____</p> <p>Periodic Payments to be made other than, and in          addition to the above:          \$ _____ x _____ = \$ _____</p> <p style="text-align: right; margin-top: 10px;">PROPOSED BASE: \$ 25,210.00</p>	\$	425.00	x	2	=	\$	850.00	\$	420.00	x	58	=	\$	24,360.00	\$		x		=	\$		\$		x		=	\$		\$		x		=	\$		<p style="text-align: center;"><b>II. DISBURSEMENT SCHEDULE</b></p> <p>A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____</p> <p>B. SECURED CLAIMS:  <input type="checkbox"/> Debtor represents no secured claims.  <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS:  <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Cr. BPPR</td> <td style="width: 33%;">Cr. _____</td> <td style="width: 33%;">Cr. _____</td> </tr> <tr> <td># 071010010000001671750</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ 210.57</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> </li> <li>2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims:  <table style="width: 100%; border-collapse: collapse;"> <tr> <td>Cr. _____</td> <td>Cr. _____</td> <td>Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> </li> <li>3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL:  <table style="width: 100%; border-collapse: collapse;"> <tr> <td>Cr. _____</td> <td>Cr. _____</td> <td>Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> </li> <li>4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder:            AEELA         </li> <li>5. <input type="checkbox"/> Other: _____</li> <li>6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to:            ADM SISTEMA RETIRO      BPPR         </li> </ol> <p>C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.          11 U.S.C. § 507 and § 1322(a)(2)</p> <p>D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims.</p> <ol style="list-style-type: none"> <li>1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____  <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____  <table style="width: 100%; border-collapse: collapse;"> <tr> <td>Cr. _____</td> <td>Cr. _____</td> <td>Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> </li> <li>2. Unsecured Claims otherwise receive PRO-RATA disbursements.</li> </ol> <p><b>OTHER PROVISIONS:</b> <i>(Executory contracts; payment of interest to unsecureds, etc.)</i>          ATTORNEY FEES TO BE PAID FIRST.</p> <p>ANY TAX REFUND RECIEVED DURING THE LIFE OF THE PLAN SHALL BE SURRENDER          TO TRUSTEE TO FUND THE PLAN, WITHOUT THE NEED FOR A POST CONFIRMATION          MODIFICATION.</p>	Cr. BPPR	Cr. _____	Cr. _____	# 071010010000001671750	# _____	# _____	\$ 210.57	\$ _____	\$ _____	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____
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<p style="text-align: center;"><b>III. ATTORNEY'S FEES</b>          (Treated as § 507 Priorities)</p> <p>Outstanding balance as per Rule 2016(b) Fee          Disclosure Statement: \$ 2,774.00</p>	<p>Signed: <u>/s/ RENE ROMAN MOJICA</u>          Debtor</p> <p style="margin-top: 20px;"><u>/s/ MONSERRATE GARCIA RIVERA</u>          Joint Debtor</p>																																																																							

Attorney for Debtor Jose Prieto

Phone: (787) 607-2066

Label Matrix for local noticing 0104-3 Case 09-10165-SEK13 District of Puerto Rico Old San Juan Wed May 5 12:23:03 AST 2010  US Bankruptcy Court District of P.R. U.S. Post Office and Courthouse Building 300 Recinto Sur Street, Room 109 San Juan, PR 00901-1964	BANCO POPULAR PR WALLACE VAZQUEZ SANABRIA ESQ 17 MEXICO STREET SUITE D-1 SAN JUAN, PR 00917-2202   ADM SISTEMA RETIRO P O BOX 42003 SAN JUAN, PR 00940-2203   BPPR P O BOX 366818 SAN JUAN, PR 00936-6818   FIRST BANK FIA CARD SERVICES P O BOX 15019 WILMINGTON, DE 19886-5019   GE Consumer Finance For GE Money Bank dba PEP BOYS/CAR CARE ONE/GEMB PO Box 960061 Orlando FL 32896-0061   Recovery Management Systems Corporation For GE Money Bank dba JCPENNEY CREDIT SERVICES 25 SE 2nd Ave Ste 1120 Miami FL 33131-1605   MONSERRATE GARCIA RIVERA 429 NOGALES ESTANCIAS DEL BOSQUE CIDRA, PR 00739   End of Label Matrix Mailable recipients 21 Bypassed recipients 0 Total 21	RECOVERY MANAGEMENT SYSTEMS CORP RAMESH SINGH 25 SE 2ND AVE STE 1120 MIAMI, FL 33131-1605   AEELA P O BOX 364508 SAN JUAN, PR 00936-4508   CITIFINANCIAL PLUS P O BOX 1093 CAGUAS, PR 00726-1093   FIRST BANK OF PR P O BOX 19327 SAN JUAN, PR 00910-1327   PEP BOYS G E MONEY BANK P O BOX 981127 EL PASO, TX 79998-1127   ALEJANDRO OLIVERAS RIVERA ALEJANDRO OLIVERAS, CHAPTER 13 TRUS PO BOX 9024062 SAN JUAN, PR 00902-4062   MONSITA LECAROS ARRIBAS OFFICE OF THE US TRUSTEE (UST) OCHOA BUILDING 500 TANCA STREET SUITE 301 SAN JUAN, PR 00901-1938
BANCO POPULAR DE PUERTO RICO c/o WALLACE VAZQUEZ SANABRIA 17 MEXICO STREET, SUITE D-1 SAN JUAN, PR 00917-2202		
FIA CARD SERVICES, NA AS SUCCESSOR IN INTERE BANK OF AMERICA NA AND MBNA AMERICA BANK 1000 Samoset Drive DE5-023-03-03 Newark, DE 19713-6000		
FIRSTBANK OF PUERTO RICO BANKRUPTCY DIVISION P.O. BOX 9146 SAN JUAN, P.R. 00908-0146		
Palisades Collections LLC Vativ Recovery Solutions LLC c/o palisades Collections LLC P.O. Box 19249 Sugar Land, TX 77496-9249		
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RENE ROMAN MOJICA 429 NOGALES ESTANCIAS DEL BOSQUE CIDRA, PR 00739		